

POSTHUMOUS APPOINTMENTS

FEBRUARY 13, 1925.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. WAINWRIGHT, from the Committee on Military Affairs, submitted the following

REPORT

[To accompany S. J. Res. 124]

The Committee on Military Affairs, to which was referred the resolution (S. J. Res. 124) to provide for the posthumous appointment to commissioned grades of certain enlisted men and the posthumous promotion of certain commissioned officers, having considered the same, report favorably thereon with the recommendation that it be passed with the following amendments:

Page 1, line 8, after the word "grade," insert the following: "or had successfully completed the course at a training school for officers and had been recommended for appointment to a commissioned grade by the officer commanding or in charge of such school."

Page 1, line 9, after the word "accept," strike out the word "such" and insert in lieu thereof the word "the".

Page 1, line 9, after the word "commission," insert the words "for such grade".

Page 2, line 11, after the word "for", insert the words "appointment or for".

Page 3, line 2, at the end of the line strike out the words "since April 6," and the figures "1917" on line 3.

This measure, as amended, will provide authority for the War Department to issue posthumous commissions to officers and enlisted men who died after the original recommendation for appointment or promotion had been made and before it could be accepted by them. Two classes of deceased soldiers will be affected:

1. Officers who earned their right to promotion and had been duly recommended for such promotion by higher authority, but who died before they could accept the promotion.

2. Enlisted men who, for meritorious service in the ranks, had been appointed to commissioned grade, or who, after such meritorious service, had qualified at officers' training camps and been recommended for appointment to commissioned grade, but who died before the commissions could be accepted.

Should this proposed legislation be enacted the appropriate commission will be issued in the name of the deceased soldier and will be sent to the family. The records of the War Department will carry the name, grade, and branch of the service to which the deceased soldier would have been commissioned from the date of the appointment to his death. It will afford a measure of solace to the

bereaved families, and will be an evidence of the fact that the soldier had rendered such service to his country as to merit the reward of promotion. As it will involve no expense to the Government it would appear to be little enough to do for the families of these men who made the supreme sacrifice.

The War Department recommends the passage of this measure, and in this recommendation your committee fully concurs. The letter of the Secretary of War is made a part of this report as follows:

WAR DEPARTMENT,
Washington, June 10, 1924.

HON. JOHN C. MCKENZIE,
*Acting Chairman Committee on Military Affairs,
House of Representatives.*

MY DEAR MR. MCKENZIE: With reference to your letter of May 31, 1924, requesting a report on Senate Joint Resolution No. 124, to provide for the posthumous appointment to commissioned grades of enlisted men and the posthumous promotion of certain commissioned officers, I invite your attention to my views as expressed below.

I find that the subject matter of Senate Joint Resolution No. 124 has been previously considered by the War Department, and that that resolution embodies the views of the department as contained in a letter, dated March 25, 1922, to the chairman Committee on Military Affairs, House of Representatives, copy herewith, which letter is a report on House Joint Resolution No. 105 of 1922.

The legislation proposed in Senate Joint Resolution No. 124 seems to me entirely meritorious. It proposes to bestow a reward which was earned but whose acceptance was prevented by death. It carries with it no expense to the Government, but it provides a measure of solace for the relatives of the deceased persons involved, the commissions being evidence of the specially meritorious services of the individuals in whose names they will issue and of the gratitude of the Government to which those services were rendered and for which the highest of sacrifices was made.

In the Congressional Record of May 15, 1922, pages 8836-38, speech of Senator Harris, the facts in this connection are so clearly and fully presented as to need no further elaboration.

Senate Joint Resolution No. 124 does not cover all the deserving cases that may arise in this connection, and in order that the matter may be covered in such a way that future legislation will be unnecessary, I recommend the following amendments thereto:

Section 1: After the word "grade," line 8, page 1, insert the phrase "or had successfully completed the course at a training school for officers and had been recommended for appointment to a commissioned grade by the officer commanding or in charge of such schools."

Line 9, page 1, after the word "accept" strike out the word "such" and insert the word "the," and after the word "commission," same line, insert the words "for such grade."

Section 2: After the word "for," line 11, page 2, insert the words "appointment or for."

Section 3: Omit the words "since April 6," line 2, page 3, and the figures "1917," line 3, same page.

The amendment to section 1 would cover the cases of men who had successfully completed the course at a training school for officers and had been recommended by the commanding officer of such school for appointment to a commissioned grade but who died before the recommendation of the commanding officer of the school had been approved by higher authority.

The amendment to section 2 would cover the cases of appointment to a commissioned grade as well as promotion in such grades.

The amendment to section 3 would remove a restriction which seems to be unnecessary, as there may be other cases like those of Lieutenant Colonel Butler and Major Haines, referred to in the speech of Senator Harris, to which attention has been invited. The removal of this restriction would obviate the consideration by the Congress of special legislation to cover any cases which may exist.

Sincerely yours,

DWIGHT F. DAVIS,
Acting Secretary of War.